

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

Cotter Corporation (N.S.L.), )  
Petitioner, ) Case No. 4:19-mc-00774-AGF  
v. )  
United States of America, *et al.* )  
Respondents. )

**REQUEST FOR RELIEF BY BRIDGETON LANDFILL, LLC, REPUBLIC SERVICES,  
INC., AND ALLIED SERVICES, LLC**

On October 15, 2019, Cotter Corporation (N.S.L.) (“Cotter”) filed a petition to perpetuate the testimony of its former counsel, Edward McGrath, pursuant to Rule 27. On December 2 and 3, 2019, Respondents United States of America; Republic Services, Inc.; Allied Services, LLC; Bridgeton Landfill, LLC; Mallinckrodt LLC; and EverZinc USA, Inc., along with Petitioner Cotter Corporation (N.S.L.), took part in the Rule 27 deposition of Mr. McGrath. Per this Court’s November 27, 2019, Order (Dkt. No. 41), Respondents are required to advise the Court, “of the status of this matter, what if any further relief they seek, and the legal basis for such relief within the scope of this Rule 27 proceeding.” Respondents Bridgeton Landfill, LLC, Republic Services, Inc., and Allied Services, LLC hereby join in the request filed by the United States of America (Dkt. No. 23) and in its renewed request, filed concurrently.

WHEREFORE, for the reasons described in detail by the United States of America, Cotter should be held to have waived its attorney-client privilege as to its decision to dispose of radioactive residues from Latty Avenue at the Westlake Landfill and provide previously withheld documents on those subjects to Respondents for potential use in follow-up questions to Mr. McGrath.

Dated: January 17, 2020

LATHROP GAGE LLP

By: /s/ William G. Beck  
William G. Beck 26849MO  
Peter F. Daniel 33798MO  
Allyson E. Cunningham 64802MO  
2345 Grand Boulevard, Suite 2200  
Kansas City, Missouri 64108-2618  
Telephone: 816.292.2000  
Telecopier: 816.292.2001  
[William.Beck@lathropgpm.com](mailto:William.Beck@lathropgpm.com)  
[Peter.Daniel@lathropgpm.com](mailto:Peter.Daniel@lathropgpm.com)  
[Allyson.Cunningham@lathropgpm.com](mailto:Allyson.Cunningham@lathropgpm.com)

Attorneys for Respondents Bridgeton Landfill, LLC, Republic Services, Inc., and Allied Services, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above pleading was served via the U.S. District Court electronic filing system on this 20<sup>th</sup> day of January 2020.

/s/ William G. Beck  
Attorney for Respondents Bridgeton  
Landfill, LLC, Republic Services, Inc., and  
Allied Services, LLC